

REMARKS/ARGUMENTS

In the Advisory Action mailed September 15, 2006, it is stated that the proposed amendment and reply mailed August 25, 2006 was not entered because “the proposed cancellation of claim 8 would result in the reissue declaration becoming improper since the declaration is based upon the limitations of claim 8 as compared with the limitations of the other claims.” A new Reissue Application Declaration by the Assignee is herewith enclosed to conform the errors being corrected in the application to the claims as amended in the proposed amendment and reply mailed August 25, 2006. Applicants thereby request that the amendment and reply mailed August 25, 2006 be entered.

As stated in the enclosed Reissue Application Declaration by the Assignee, the errors upon which the reissue is based are that “the claims must be amended to clarify their meaning and remove any inconsistencies and to make the definite and particularly point out and distinctly claim the subject matter with applicant regards as the invention.” Such amendments include amendments to claims 1, 2, and 5 as suggested by the Examiner in the Office Action mailed 10/04/05, which are entirely made as suggested corrections to said claims to correct inconsistencies which resulted in a rejection under 35 U.S.C. 112, second paragraph. All other amendments to the claims are grammatical or typographical, and/or do not broaden the scope of the claims. Accordingly, under 37 CFR 1.172, the reissue oath and/or declaration may be made by the assignee, as set forth in the enclosed Reissue Application Declaration by the Assignee, since the application does not seek to enlarge the scope of the claims of the original patent.

Also enclosed in a Statement under 37 CFR 3.73(b) establishing ownership of the application by the assignee, and a petition for extension of time for response to the outstanding final Office Action mailed April 26, 2006.

CONCLUSION

In view of the foregoing, it is respectfully submitted that the application is in condition for allowance. If it is believed that the application is not in condition for allowance, the Examiner is requested to contact the undersigned attorney if it is believed that such contact will expedite the prosecution of the application.

In the event this paper is not timely filed, Applicant petitions for an appropriate extension of time. Please charge any fee deficiencies or credit any overpayments to Deposit Account No. 50-2036 with reference to Attorney Docket No. 59474.21501.

Respectfully submitted,
BAKER & HOSTETLER LLP



Erdal R. Dervis
Reg. No. 51,612

Date: October 26, 2006
Washington Square, Suite 1100
1050 Connecticut Avenue, N.W.
Washington, D.C. 20036-5304
Telephone: 202-861-1744
Facsimile: 202-861-1783